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**From:** Hanson, Robyn [Hanson.Robyn@epa.gov]  
**Sent:** 11/25/2020 8:23:04 PM  
**To:** Matthew Culpo [MCULPO@helenamt.gov]; Mark Fitzwater [mfitzwater@helenamt.gov]; Phil Hauck [PHAUCK@helenamt.gov]; Thomas Jodoin [TJODOIN@helenamt.gov]  
**CC:** Llamozas, Emilio [Llamozas.Emilio@epa.gov]; Garcia, Al [garcia.al@epa.gov]  
**Subject:** City of Helena: Proposed AOC with EPA Regarding CWA Pretreatment Program  
**Attachments:** Helena AOC\_Proposal for City\_11-25-20.docx

Matt, Mark, Phil, and Thomas:

As we discussed during our Letter of Violation conference a few months ago now, EPA is proposing that the parties enter into an Agreed Order on Consent (AOC) as the first step in a settlement process to cooperatively resolve EPA's allegations that the City has violated and, in some cases, continues to violate the Clean Water Act based on pretreatment program noncompliance.

As previously explained, the AOC does not require the City to admit liability for the violations alleged. In the "Consent Order" section, the AOC does contain commitments for actions that the City will take, along with enforceable deadlines. The attached AOC proposal incorporates updates based on emails that the parties have exchanged since the date of our last conference.

At a later point in our negotiations, we will propose an appropriate administrative penalty as the second component of our potential settlement.

We look forward to receiving the City's response to this proposed AOC. After you have had the opportunity to review its terms, please let us know if you would like to set up another videoconference to discuss anything. You may also return a redline version of the document to us. You will note that the document has a few highlighted placeholders for signatory and email recipient information that we will need from the City.

Please let me know if you have any immediate questions. Otherwise, we will check in with you in a few weeks. I hope everyone has a safe and Happy Thanksgiving!

-Robyn

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